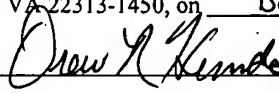


CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 10, 2003

Drew R. Herndon



PATENT

Attorney Docket No. 22488-756

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Jian-yun Dong

Application No.: 10/663,360

Filed: September 15, 2003

Title: METHOD FOR TESTING DRUG
SUSCEPTIBILITY OF HIV

PATENT APPLICATION

Art Unit: Unknown

Examiner: Unknown

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

- ☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☒ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage
-- OR --
- ☐ (3) It is being filed before the mail date of the first Office Action on the merits
-- OR --
- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided below; **or**
- ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of \$0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 23-2415 (Docket No.22488-756).

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Dated: Dec. 9, 2003

By: 
Shirley Chen, Reg. No. 44,608

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Palo Alto, CA 94304-1050
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Customer No. 021971


**INFORMATION DISCLOSURE
CITATION**
PTO-1449
ATTY. DOCKET NO.

22488-756

SERIAL NO.

10/663,360

APPLICANT Dong

FILING DATE 9/15/03

GROUP Unknown

U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	5,837,464	11/17/98	Capon et al.	C12Q	1/68	1/29/97
	6,406,911	6/18/02	Dong	C12N	15/63	5/18/99
	6,410,013	6/25/02	Dong	A01N	63/00	4/26/00
	2002/0168345	11/14/02	Dong	C12Q	1/70	3/29/02
	2003/0064054	4/3/03	Dong	C12Q	1/68	9/13/02

FOREIGN PATENT DOCUMENTS

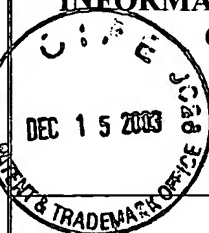
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
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	WO 00/43515	1/27/00	PCT	C12Q	1/70	<input type="checkbox"/>	<input type="checkbox"/>
	2 244 712 A	11/12/91	United Kingdom	C12N	15/79	<input type="checkbox"/>	<input type="checkbox"/>

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	Alberts, Bruce et al., Eds., 3 rd Ed. Garland Publishing, Inc., New York & London, "Molecular Biology of the Cell", pp. 160-162 (1994).
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EXAMINER
DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION  PTO-1449		ATTY. DOCKET NO. 22488-756	SERIAL NO. 10/663,360				
		APPLICANT Dong					
		FILING DATE 9/15/03	GROUP Unknown				
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
						<input type="checkbox"/>	<input type="checkbox"/>
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
		Gervais, A. et al., "A New Reporter Cell Line To Monitor HIV Infection and Drug Susceptibility <i>In Vitro</i> ", <i>PROC. NATL. ACAD. SCI USA</i> , Vol. 94, pp. 4653-4658, April 1997.					
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EXAMINER			DATE CONSIDERED				

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